

DOCKET: KT-P-025US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR:	Evan E. Koslow	)	EXAMINER:	Krishnan S. Menon
		)		
SERIAL NO.:	10/622,882	)	ART UNIT:	1723
		)		
FILING DATE:	July 18, 2003	)	DATE:	July 10, 2007
		)		
FOR:	CARBON OR ACTIVATED	)		
	CARBON NANOFIBERS	)		

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Disclaimant, KX Industries, LP, having a principal place of business at 269 S. Lambert Road, Orange, Connecticut, in the country of United States, hereby represents that by virtue of assignments from Koslow Technologies Corporation and Evan E. Koslow, copies of which are attached hereto, it is the assignee of the entire interest of application Serial No. 10/622,882, filed July 18, 2003, for Carbon or Activated Carbon Nanofibers.

Disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending U.S. Patent Application No. 10/640,889 filed on August 14, 2003 ("the 10/640,889 application"), and as the term of any patent granted on the 10/640,889 application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the 10/640,889 application. Disclaimant hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 10/640,889, this agreement to run with any patent granted on the above identified application and to be binding upon the grantee of such patent and his (its) successors or assigns.

Disclaimant also hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full

statutory term of any patent granted on pending U.S. Patent Application No. 10/666,878 filed on September 19, 2003 ("the 10/666,878 application"), and as the term of any patent granted on the 10/666,878 application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the 10/666,878 application. Disclaimant hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 10/666,878, this agreement to run with any patent granted on the above identified application and to be binding upon the grantee of such patent and his (its) successors or assigns.

Disclaimant does not disclaim any terminal part of the term of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of any patent granted on U.S. Patent Application Nos. 10/640,889 and 10/666,878, as the term of any patent granted on the 10/640,889 and 10/666,878 applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on said 10/640,889 and 10/666,878 applications in the event that any such patent granted expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

By: Attorney of record for KX INDUSTRIES, L.P.

A handwritten signature in dark ink, appearing to read "R Curcio", is written over a horizontal line.

Robert Curcio  
Reg. No. 44,638

DELIO & PETERSON, LLC  
121 Whitney Avenue  
New Haven, CT 06510

**Exhibit C -- KXI Assignment Agreement**

**ASSIGNMENT OF LETTERS PATENT  
AND APPLICATIONS FOR LETTERS PATENT**

THIS ASSIGNMENT OF LETTERS PATENT AND APPLICATIONS FOR LETTERS PATENT (this "Assignment") is made this 28<sup>th</sup> day of November, 2006 by Evan Koslow and Koslow Technologies Corporation, a Connecticut corporation, having its principal place of business at 269 South Lambert Road, Orange, Connecticut 06477 USA ("Seller").

**WITNESSETH:**

WHEREAS, Seller is the sole owner by assignment of the entire right, title and interest in, to and under patents and patent applications listed in Schedule A (including all reissues, divisions, continuations, continuations-in-part, extensions and reexaminations thereof, and any patents or patent applications claiming the benefit of priority therefrom, directly or indirectly) registered or applied for in the United States and all other nations throughout the world; all rights in all of the foregoing provided by treaties, conventions and common law, and all rights to sue or recover and retain damages and costs and attorneys' fees for past, present and future infringement or misappropriation of any of the foregoing (collectively, the "Patents");

WHEREAS, KX Industries, L.P., a Delaware corporation ("Buyer"), having its principal place of business at 269 South Lambert Road, Orange, Connecticut 06477 USA, is desirous of acquiring the entire worldwide right, title and interest in, to and under the Patents.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to the Nov. 3, 2006 Final Order and Judgment of Vice Chancellor Strine in McGovern et al. v. Con Holding et al., C.A. No. 1296-N (the "Order"), the parties, intending to be legally bound, agree as follows:

1. Seller has sold, assigned and transferred, and does hereby sell, assign and transfer unto the Buyer, the entire right, title and interest in and to the Patents and all letters patents in all countries of the world based thereon or corresponding thereto, including any and all rights to file applications and receive patents in all countries of the world, the same to be held and enjoyed by the Buyer to the full end of the term for which said letters patent may be granted, as fully and entirely as the same would have been held and enjoyed by Seller had this

assignment and sale not been made; and Seller hereby agrees to sign all necessary papers and do all lawful acts reasonably requisite in connection with the prosecution, assignment, recording, enforcement and disclaimer of each and every patent application based upon the Patents, without further compensation, but at the expense of the Buyer or its successors and assigns, and Seller assigns to the Buyer all rights to sue for infringement, including past infringement if any, of any patent or patents based upon or corresponding to the Patents.

3. Seller agrees that, upon request it will, at any time without charging a fee to Buyer but at Buyer's expense for any reasonable costs incurred, furnish all necessary documentation relating to or supporting chain of title and to confirm Buyer's ownership of all right, title, and interest in and to the Patents, provide testimony at any time in connection with any proceedings affecting the right, title, interest or benefit of Buyer in, to or under the Patents and sign and deliver all papers, take all rightful oaths, and do all acts which may be reasonably necessary for vesting title to the Patents in Buyer, its successors, assigns and legal representatives or nominees. In the event Seller fails to execute such documentation after a reasonable amount of time, Seller hereby appoints Buyer with full and complete authority and power of attorney to act in the stead of Seller and to execute and record as its attorney-in-fact such transfer documentation.

4. Seller does hereby authorize and request the officials of all countries in which patents relating to the Patents are now or in the future will be issued to issue to the Buyer all of Seller's entire right, title and interest in and to the same for the sole use and enjoyment of the Buyer, its successors and assigns.

IN WITNESS WHEREOF, Seller has caused this Assignment to be executed.

By: Evan E. Koslow  
Evan E. Koslow  
Individually

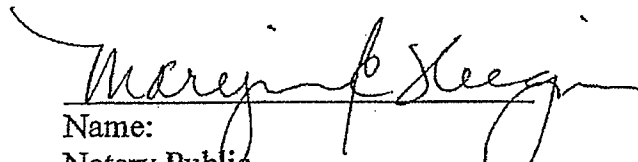
Koslow Technologies Corporation

By: Evan E. Koslow  
Evan E. Koslow  
President

STATE OF CT  
COUNTY OF Fairfield ss.:

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Evan Koslow, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of such Corporation, and that he executed the same for and as the act of such Corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28 day  
of Nov, 2005

  
Name:  
Notary Public *My Commission Expires*  
**July 31, 2007**

EV428823060US

Form PTO-1595 (Rev. 07/05)  
OMB No. 0651-0027 (exp. 6/30/2008)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

## 1. Name of conveying party(ies)

Evan E. Koslow  
611 Fairfield Beach Road  
Fairfield, CT 06824

## 2. Name and address of receiving party(ies)

Name: KX Industries, LP

Internal Address: \_\_\_\_\_

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No

## 3. Nature of conveyance/Execution Date(s):

Execution Date(s) November 28, 2005☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Joint Research Agreement☐ Government Interest Assignment☐ Executive Order 9424, Confirmatory License☐ Other \_\_\_\_\_Street Address: 269 South Lambert RoadCity: OrangeState: ConnecticutCountry: USAZip: 06477Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

See Applications and Patent Numbers  
attached as Exhibit AAdditional numbers attached? ☒ Yes ☐ No

## 5. Name and address to whom correspondence concerning document should be mailed:

Name: Patterson Belknap Webb & Tyler LLP

Internal Address: \_\_\_\_\_

Street Address: 1133 Avenue of the AmericasCity: New YorkState: New York Zip: 10036Phone Number: (212) 336-2000Fax Number: (212) 336-2222Email Address: IPDocketing@pbwt.com6. Total number of applications and patents involved: 557. Total fee (37 CFR 1.21(h) & 3.41) \$2,200.00☐ Authorized to be charged by credit card☐ Authorized to be charged to deposit account☒ Enclosed☐ None required (government interest not affecting title)

## 8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_

Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

## 9. Signature:



Signature

Reg. No 35,385November 30, 2006

Date

Michael J. Timmons

Name of Person Signing

Total number of pages including cover  
sheet, attachments, and documents:

14

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

**EXHIBIT 1**

**Additional Names of Conveying Party(ies)**

Koslow Technologies Corporation  
611 Fairfield Beach Road  
Fairfield, CT 06824

### Exhibit A – Patents and Patent Applications

Patent Number	Title	Patent Issue Date
5,792,513	Continuous solid state web coating process	August 11, 1998
5,922,803	Thin-walled, extruded activated carbon filter	July 13, 1999
5,946,342	Process and apparatus for the production of activated carbon	August 31, 1999
6,015,608	Liquid absorbent pad with anti-gel-block laminate	January 18, 2000
6,022,436	Electrode manufacturing process and flow-through capacitor produced therefrom	February 8, 2000
6,061,384	Process and apparatus for the production of activated carbon	May 9, 2000
6,077,588	Continuous solid state web coating process and webs produced thereby	June 20, 2000
6,355,330	Continuous solid state web coating process and webs produced thereby	March 12, 2002
6,485,813	Method of stabilizing composite media and media produced thereby	November 26, 2002
6,550,622	Composite filter medium and fluid filters containing same	April 22, 2003
6,565,961	Absorbent articles	May 20, 2003
6,607,672	Apparatus and method for combined use of ultraviolet and ozone in appliances	August 19, 2003
6,610,415	Magnetic or magnetizable composite product and a method for making and using same	August 26, 2003
6,630,016	Microporous filter media, filtration systems containing same, and methods of making and using	October 7, 2003
6,660,172	Precoat filtration media and methods of making and using	December 9, 2003
6,703,071	Absorbent articles	March 9, 2004
6,720,054	Desiccant system including bottle and desiccant sheet	April 13, 2004
6,719,869	Method of stabilizing composite media and media produced thereby	April 13, 2004
6,770,204	Filter media with enhanced microbiological interception	August 3, 2004

Patent Number	Title	Patent Issue Date
	capability	
6,772,535	Humidity generating system and method and use in wood drying kiln	August 10, 2004
6,783,798	Magnetic or magnetizable composite product and a method for making and using same	August 31, 2004
6,797,167	Composite filter medium and fluid filters containing same	September 28, 2004
6,835,311	Microporous filter media, filtration systems containing same, and methods of making and using	December 28, 2004
6,840,986	Air purifying filter systems for building air supply and respirators useful against NBC attacks	January 11, 2005
6,866,704	Microporous filter media with intrinsic safety feature	March 15, 2005
6,872,311	Nanofiber filter media	March 29, 2005
6,889,599	Brewing apparatus and method	May 10, 2005
6,913,154	Microporous filter media, filtration systems containing same, and methods of making and using	July 5, 2005
6,953,604	Microporous filter media, filtration systems containing same, and methods of making and using	October 11, 2005
6,959,820	Microporous filter media, filtration systems containing same, and methods of making and using	November 1, 2005
6,998,058	Microporous filter media, filtration systems containing same, and methods of making and using	February 14, 2006
7,008,537	Microporous filter media, filtration systems containing same, and methods of making and using	March 7, 2006
7,011,753	Microporous filter media, filtration systems containing same, and methods of making and using	March 14, 2006

Pending Patent Application Serial Number	Title	Filing Date
09/864,976	Rapid absorbent structures	May 24, 2001
10/238,431	Method of stabilizing composite media and media produced thereby	September 9, 2002
10/308,695	Means to miniaturize diffusion filters for particulate removal	December 3, 2002
10/322,271	Composite for removing moisture, liquid and odors with anti-microbial capability	December 18, 2002
10/442,809	Microporous filter media, filtration systems containing same, and methods of making and using	May 20, 2003
10/622,882	Carbon or activated carbon nanofibers	July 18, 2003
10/640,889	Structures that inhibit microbial growth	August 14, 2003
10/666,878	Integrated paper comprising fibrillated fibers and active particles immobilized therein	September 19, 2003
10/762,702	Pressure limiting and/or flow regulating valve for use with POU/POE filter system	January 21, 2004
10/799,547	Filter housing	March 11, 2004
10/923,058	Fiber-fiber composites	August 19, 2004
10/924,066	Composite filter medium and fluid filters containing same	August 23, 2004
10/966,688	Tangential in-line air filter	October 15, 2004
11/070,694	Rapid absorbent structures	March 3, 2005
11/137,170	Twist and lock filter housing	May 25, 2005
11/189,686	Lofted composite with enhanced air permeability	July 26, 2005
60/842,195	Process for producing fibrillated fibers	August 31, 2006
60/842,069	Process for producing nanofibers	August 31, 2006
09/576,519	Process for the Production of Finely Divided Polymers	Abandoned – KX Docket No. 369.6127US
60/144,689	Hot End Caps for Filter Devices	Abandoned – KX Docket No. 349.6635
10/176,103	Filtration Device	Abandoned – KX Docket No. KT-P-007US
10/115,579	Containers for Dispensing Filtered Liquids	Abandoned – KX Docket No. KT-P-004US

**EXPRESS LABEL CERTIFICATE**

I hereby certify that the foregoing documents are being deposited with the U.S. Postal Services as Express Mail No. **[EV 428823060 US]** in an envelope addressed to: Mail Stop Assignment Recordation Service, Director of the USPTO, 2900 Crystal Drive, 9<sup>th</sup> Floor, Arlington, VA 22202 on November 30, 2006.

  
Lori Emanu